

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kathleen A. Bielen,

Case No. 19-cv-0872 (WMW/HB)

Plaintiff,

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

v.

Rochester Police Dept., et al.

Defendants.

This matter is before the Court on the October 28, 2019 Report and Recommendation (R&R) of United States Magistrate Judge Hildy Bowbeer. (Dkt. 35.) Because no objection to the R&R has been filed, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R, the foregoing analysis, and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The October 28, 2019 R&R, (Dkt. 35), is **ADOPTED**.
2. The matter is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.
3. The Defendants' motions to dismiss, (Dkts. 7, 13), are **DENIED AS MOOT**.¹

¹ In light of the Court's ruling on the October 28, 2019 R&R, the August 22, 2019 R&R, (Dkt. 31), also is moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 10, 2019

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge